

## **PROTECTION OF AND ACCESS TO PERSONAL INFORMATION OF AN EMPLOYEE**

### **Background**

Under 69(6) of the Act, public bodies are required to create and maintain a Personal Information Directory which lists the specific collections of personal information maintained by the public body.

### **Procedures**

1. In accordance with the Freedom of Information and Protection of Privacy Act, the District will maintain a Personal Information Directory for each employee.
2. In accordance with the Freedom of Information and Protection of Privacy Act, the District will ensure the confidentiality of personal information on its staff.
3. Personal information may only be obtained as authorized in the Act and used for the specific purposes for which it is gathered. The management and safekeeping of such information is the responsibility of each employee designated by the Superintendent.
  - 3.1 Confidentiality must be protected by each employee who is authorized to have access to this information for the purposes of personnel program management, the provision of personnel services or administrative services to the files.
4. Access by an Employee to His/Her Personnel File
  - 4.1 Access to an employee's personnel information can be gained during normal business hours, upon appointment and is available to:
    - 4.1.1 The employee, in the presence of a supervisory officer, or the appropriate personnel officer;
    - 4.1.2 Other parties (e.g. legal counsel of the employee) with the specific written consent of the employee;
    - 4.1.3 An employee's Principal, or in the case of administrative and support staff, the Supervisor on a need to know basis in the presence of the supervisory officer or appropriate personnel officer; and
    - 4.1.4 Supervisory officers or the District's legal counsel, subject to the approval of the Superintendent.
  - 4.2 Copies of any personal information will be provided only to the employee or his/her agent on the specific written request of the employee. A record of all such transactions must be kept in the personnel file.
5. Access by Others to Information in an Employee's Personnel File
  - 5.1 Access to personnel files by anyone other than the employee is to be on a need to know basis only (i.e. required information must be made available, not the entire file).

- 5.2 All written applications for access to personal information of an employee made under the Act will be passed in the first instance to the Secretary-Treasurer for registration. The request will then be directed to a Human Resources Manager for action.
- 5.3 The decision for granting the complete or partial access, or refusing the request will be made by a Human Resources Manager, in consultation with the Secretary-Treasurer and guided by the relevant clauses of the Act.
- 5.4 All responses to a formal application for access to information, whether granted or denied, shall be directed to the Secretary-Treasurer for review and final documentation and then forwarded to the individual making the request within thirty days after the application was received.
- 5.5 In the event that a response to an application for access cannot be completed within the thirty day time limit, the Secretary-Treasurer must be notified and, under the limited circumstances specified in Section 10 of the Act, the Coordinator will provide the individual making the request written notice of the extension setting out:
  - 5.5.1 The length of the extension;
  - 5.5.2 The reasons for the delay; and
  - 5.5.3 The person's right of appeal to the Freedom and Privacy Commissioner to review the extension.
- 5.6 Disputes between the Secretary-Treasurer and a Human Resources Manager will be forwarded to the Superintendent for resolution.

## 6. General

- 6.1 Each file shall contain a record of those employees who have been granted access to it, who would not normally have access in the normal course of their duties.
- 6.2 Any personal information of an employee that is no longer required for either administrative, financial, legal or historical purposes and its retention is not regulated by any statute, may be destroyed in a confidential manner.
- 6.3 Directory of types of information that we have on employees (compilation in process).

Reference: Sections 22, 65, 69, 85 School Act  
Freedom of Information and Protection of Privacy Act  
Freedom of Information and Protection of Privacy Regulation

Adopted: January 21, 2004  
Amended: September 1, 2018  
August, 2019